

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

CHIEF HEARING OFFICER DIRECTIVE

DOCKET NOS. 2021-192-E ORDER NO. 2021-94-H

JULY 12, 2021

CHIEF HEARING OFFICER: David Butler

DOCKET DESCRIPTION:

Dominion Energy South Carolina Incorporated Coal Retirement Docket Opened Pursuant to Commission Order No. 2021-418

MATTER UNDER CONSIDERATION:

Petition to Intervene of the Sierra Club

CHIEF HEARING OFFICER'S ACTION:

This matter comes before the Chief Hearing Officer on the Petition to Intervene of the Sierra Club. No objections to the Petition to Intervene have been filed.

Under Commission regulation, the Commission must determine whether or not the petitioning party has clear factual support or grounds for the proposed intervention. S.C. Regs. 103-825A(3) requires that parties filing a Petition to Intervene in a matter pending before the SC Public Service Commission must set forth clearly and concisely:

- (a) The facts from which the nature of the petitioner's alleged right or interest can be determined;**
- (b) The grounds of the proposed intervention;**
- (c) The position of the petitioner in the proceeding.**

Sierra Club asserts that it is a nonprofit conservation organization incorporated in California. It currently represents almost 800,000 dues-paying members nationwide and approximately 6,920 dues-paying members in South Carolina. The Club's mission is to explore, enjoy, and protect the wild places of the Earth; to practice and promote the responsible use of the Earth's ecosystems and resources; to educate and enlist humanity to protect and restore the quality of the natural and human environment; and to use all lawful means to carry out these objectives. In furtherance of this mission, the Sierra Club and the Sierra Club's South Carolina Chapter state that they work to accelerate the transition from fossil fuels to clean energy solutions and advocate for state and federal policies and industry action to achieve this transition. Sierra Club notes that it has a long history of working to reduce pollution from coal-fired power plants and promoting clean energy sources in the Southeast. Sierra Club and its members who live in South Carolina—approximately half of which are Dominion customers—believe that they have a direct and substantial interest in this proceeding. The Sierra Club notes that it was an active

participant in Dominion Energy South Carolina's 2020 IRP, Docket No. 2019-226-E, submitting expert testimony alleging flaws in DESC's modeling and capital cost assumptions, along with performing its own modeling demonstrating its belief that a coal retirement resource portfolio was a more reasonable and prudent path forward for DESC and its customers.

According to the Sierra Club, the Commission's opening of a coal docket implicates Sierra Club's organizational mission and interests by establishing a forum where the parties can discuss a procedural schedule for the Wateree and Williams retirement analyses, the retirement of the plants pursuant to Dominion's 2020 Modified IRP along with the replacement of those coal plants with clean energy solutions informed by resource bids. Moreover, it believes that its members who receive electricity service at their homes and businesses from the Company will be affected by the decisions of the Commission in this and future related proceedings.

Sierra Club asserts that it and its members have an interest in ensuring the timely retirement of the Wateree and Williams coal plants and advancing the important objectives of promoting cost saving clean energy, energy efficiencies, and distributed generation, and avoiding disproportionate and unreasonable burdens on low-income South Carolinians. According to the Sierra Club, no other party will adequately represent its interests in this case. Sierra Club states that it seeks to intervene in this proceeding to ensure that its organizational interests and those of its members are represented in the Commission's decision-making process regarding the Company's CT Plan. Sierra Club believes that its involvement in this proceeding will promote its members' interests as well as the broader public interest.

Pursuant to these facts, this Hearing Officer holds that the Sierra Club has successfully satisfied the criteria for intervention stated in the Commission Regulation. Its interest in this matter can clearly be discerned, as can the grounds for the intervention. Further, the Petitioner's position is clearly stated.

As previously noted, there are no objections to the intervention. Accordingly, the Petition to Intervene of the Sierra Club is hereby granted. This ends the Chief Hearing Officer's Directive.